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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.	
09/988,407	11/19/2001	Hideo Furukawa	VX012384	8523	
21369 75	90 09/20/2005		EXAMINER		
	POSZ LAW GROUP, PLC			SORKIN, DAVID L	
12040 SOUTH :	LAKES DR.				
SUITE 101			ART UNIT	PAPER NUMBER	
RESTON, VA 20191			1723		

DATE MAILED: 09/20/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

·	Application No.	Applicant(s)	
Advisory Action	09/988,407	FURUKAWA, HIDEC	)
Before the Filing of an Appeal Brief	Examiner	Art Unit	
	David L. Sorkin	1723	
The MAILING DATE of this communication appe	ears on the cover sheet with the o	orrespondence addr	ess
THE REPLY FILED 09 September 2005 FAILS TO PLACE THI		·	
1. The reply was filed after a final rejection, but prior to or or this application, applicant must timely file one of the follow places the application in condition for allowance; (2) a No a Request for Continued Examination (RCE) in compliance time periods:	n the same day as filing a Notice of wing replies: (1) an amendment, aff pitice of Appeal (with appeal fee) in o ce with 37 CFR 1.114. The reply mo	Appeal. To avoid abar fidavit, or other evidence compliance with 37 CF	ce, which R 41.31; or (3)
a) The period for reply expires 3 months from the mailing date	•	in the final actions whi	-b
b) The period for reply expires on: (1) the mailing date of this A no event, however, will the statutory period for reply expire I			
Examiner Note: If box 1 is checked, check either box (a) or TWO MONTHS OF THE FINAL REJECTION. See MPEP 7		FIRST REPLY WAS FII	LED WITHIN
Extensions of time may be obtained under 37 CFR 1.136(a). The date have been filed is the date for purposes of determining the period of ex under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the set forth in (b) above, if checked. Any reply received by the Office later may reduce any earned patent term adjustment. See 37 CFR 1.704(b) NOTICE OF APPEAL	on which the petition under 37 CFR 1.1 tension and the corresponding amount shortened statutory period for reply orig r than three months after the mailing da	of the fee. The appropriationally set in the final Office	ate extension fee e action; or (2) a
<ol> <li>The Notice of Appeal was filed on A brief in compfiling the Notice of Appeal (37 CFR 41.37(a)), or any exte a Notice of Appeal has been filed, any reply must be filed AMENDMENTS</li> </ol>	nsion thereof (37 CFR 41.37(e)), to	avoid dismissal of the	
3. The proposed amendment(s) filed after a final rejection,			cause
<ul> <li>(a)    ☐ They raise new issues that would require further co</li> <li>(b) ☐ They raise the issue of new matter (see NOTE below)</li> </ul>		TE below);	
(c) They are not deemed to place the application in beauppeal; and/or		ducing or simplifying th	ne issues for
(d) They present additional claims without canceling a		ected claims.	
NOTE: <u>see attached</u> . (See 37 CFR 1.116 and 41.			
4. The amendments are not in compliance with 37 CFR 1.1		mpliant Amendment (F	<sup>2</sup> TOL-324).
<ul> <li>5. Applicant's reply has overcome the following rejection(s)</li> <li>6. Newly proposed or amended claim(s) would be all</li> </ul>	· · · · · · · · · · · · · · · · · · ·	timely filed amendmer	nt canceling the
non-allowable claim(s).	·	•	
7.  For purposes of appeal, the proposed amendment(s): a) how the new or amended claims would be rejected is pro The status of the claim(s) is (or will be) as follows: Claim(s) allowed: 11. Claim(s) objected to:	⋈ will not be entered, or b)  i wi vided below or appended.	ll be entered and an ex	cplanation of
Claim(s) rejected: <u>1-10, 12-18 and 20</u> . Claim(s) withdrawn from consideration:			
AFFIDAVIT OR OTHER EVIDENCE			
8. The affidavit or other evidence filed after a final action, but because applicant failed to provide a showing of good an was not earlier presented. See 37 CFR 1.116(e).			
<ul> <li>9.  The affidavit or other evidence filed after the date of filing entered because the affidavit or other evidence failed to conshowing a good and sufficient reasons why it is necessar</li> <li>10.  The affidavit or other evidence is entered. An explanation REQUEST FOR RECONSIDERATION/OTHER</li> </ul>	overcome <u>all</u> rejections under apper y and was not earlier presented. S	al and/or appellant fails ee 37 CFR 41.33(d)(1)	s to provide a ).
11. The request for reconsideration has been considered bu	it does NOT place the application in	n condition for allowan	ce because:

David L. Sorkin Primary Examiner Art Unit: 1723

13. Other: \_\_\_\_.

12. Note the attached Information Disclosure Statement(s). (PTO/SB/08 or PTO-1449) Paper No(s).

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## **DETAILED ACTION**

1. The proposed amendment to claim 1 raises new issues which would require further consideration and search.

2. Proposed replacement of the word "An" with the letters "co" in claim 6 is not understood.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to David L. Sorkin whose telephone number is 571-272-1148. The examiner can normally be reached on 9:00 -5:30 Mon.-Fri..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wanda L. Walker can be reached on 571-272-1151. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

David L. Sorkin
Primary Examiner
Art Unit 1723